

Notice of Allowability

Application No.

09/345,202

Applicant(s)

MARTIN, DAVID A.

Examiner

JAGDISH PATEL

Art Unit

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/13/06.
2. ☒ The allowed claim(s) is/are 1,6-10,20 and 23-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. This communication is in response to amendment filed 7/13/2006.

Response to Amendment

2. Claims 1, 6-10, 20 and 23-27 are pending and have been allowed.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Att. Daniel A. Thomson Reg. No. 43, 189 on 10/13/06.

In the Claims:

Please amend claim 10 as follows.

10. A method for preventing fraud, the method comprising the steps of:

creating at least one negotiable instrument containing a first set of information, the first set of information containing at least, a payee, an amount, a date, and an associated drawee's identity;

attaching a machine readable code to the at least one negotiable instrument, the machine readable code containing a second set of information, the second set of information comprising

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an associated drawer's account number, the drawee's routing number, the payee, and the amount;

the drawer electronically transferring the second set of information to the drawee, for later comparison with the negotiable instrument when the negotiable instrument is presented to the drawee;

the drawee entering the second set of information into a database, for later comparison with the negotiable instrument when the negotiable instrument is presented to the drawee.

wherein electronically transferring the second set of information to the drawee comprises the steps of the drawee:

the drawee receiving the at least one negotiable instrument; and,

the drawee scanning the machine-readable code, thereby entering the information on the machine readable code into the drawee's database.

the drawee comparing the electronically transferred second set of information and the information from the machine readable code in the drawee's database; and,

paying the negotiable instrument in response to the comparison only if the electronically transferred second set of information is identical to the corresponding portion of the information from the machine readable code in the drawee's database.

Please cancel claims 11 and 12.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:

The claimed inventions pertain to the art of devices and methods for preventing check fraud, and more particularly to an integrated fraud-preventing process between the customer and the bank.

The following prior art reference have been deemed most relevant to the allowed claim(s):

Carney 6,181,814 teaches system and method for detecting and thus preventing check fraud utilizing a digital computer with image capture and interpretation systems. The system converts the payee information, issue date and the MICR line information (account number, check number and dollar amount) to a check digit which is then placed into the MICR line of a check, printed on its face or transmitted via the paid issuance file to the drawee bank. The drawee bank, upon presentment utilizes a transformation algorithm to convert the printed payee information and issue date on the check into a numerical value that is combined with MICR line information and a check digit is calculated based upon pre-agreed logic.

Claim 1 is distinguished from the prior art because it recites unique features of:

- attaching a bar code which contains an associated customer's account number, an associated bank's routing number and a second set of information, the second set of information is at least the payee and the amount, electronically transferring the account number, the routing number and a second set of information, the second set of information is at least the payee and the amount and electronically transferring the account number, the routing number, and the second set of information to the associated bank where the second set of information transferred is compared to the second set of information from the bard code obtained by scanning the bar code on the check upon presentment.

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Claims 6-9, 4,5 are distinguished from the prior art because the prior art fails to teach or suggest method for preventing fraud, which comprises:

a drawee entering information from a negotiable instrument into an electronic database, linking the electronic database with the drawer's account, transferring the information from the electronic database to a global communication network, the drawer accessing information from the negotiable instrument from the global communication network, providing comparison of information from the electronic database with information from the negotiable instrument recorded by the drawer and having the drawer advise the drawee whether or not to pay the negotiable instrument based upon the comparison.

Claim 10: is distinguished from the prior art because the prior art fails to teach or suggest method for preventing fraud, which comprises:

creating a negotiable instrument containing a first set of information which contains a payee, an amount, a date, and an associated drawee's account number, attaching a machine readable code to at least one negotiable instrument, the machine readable code comprises a second set of information comprising an associated drawer's account number, the drawee's routing number, the payee and the amount, the drawer electronically transferring the second set of information to the drawee for later comparison with the negotiable instrument when the negotiable instrument is presented to the drawee.

Claims 20, 23, 26 and 27: are distinguished from the prior art because the prior art fails to teach or suggest method for integrating the creation and processing of negotiable instruments, which comprises:

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creating a negotiable instrument containing a first set of information which comprises a payee, an amount, a date, and a drawee's identity, attaching a machine readable code to the negotiable instrument, the machine readable code containing a second set of information comprising an associated drawer's account number, the drawee's routing number, the payee and the amount, the drawer electronically transferring the second set of information to the associated drawee bank for later comparison with the negotiable instrument when the negotiable instrument is presented to the drawee bank.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

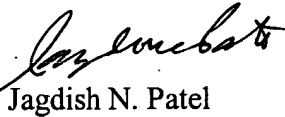
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (571) 272-6748. The examiner can normally be reached on 800AM-600PM M-Tu and Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammel can be reached on (571)272-6712. The fax phone number for the organization where this application or proceeding is assigned is 517-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jagdish N. Patel

(Primary Examiner, AU 3624)

10/13/06